

**RECEIVED  
CENTRAL FAX CENTER**

Reply Under 37 C.F.R. §1.116  
Expedited Procedure  
Group Art Unit 1652

Attorney Docket: 021123-0283665

SEP 13 2004

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re PATENT APPLICATION of:

Confirmation Number: 8964

Rieping *et al.*

Application No.: 09/963,668

Group Art Unit: 1652

Filed: September 27, 2001

Examiner: D. RAMIREZ

Title: Fermentation Process for the Preparation of L-amino Acids Using Strains of the Family Enterobacteriaceae

**AMENDMENT PURSUANT TO 37 C.F.R. § 1.116**

MAIL STOP AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is in response to an final official action dated April 13, 2004, wherein the pending claims were rejected under 35 U.S.C. §112, first and second paragraphs, and the judicially created doctrine of obviousness-type double patenting. The applicants respectfully traverse in view of the following amendments and remarks.

30471167v1